

**COHENMILSTEIN**

Scott M. Lempert  
Slempert@cohenmilstein.com

June 7, 2017

The Honorable Michael A. Shipp  
United States District Court for the  
District of New Jersey  
Clarkson S. Fisher Building  
& U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Re: *Kaplan v. Saint Peter's Healthcare System, et al., No. 3:13-cv-02941-MAS-TJB*

Dear Judge Shipp:

On behalf of Plaintiff Laurence Kaplan, and with the consent of Defendants Saint Peter's Healthcare System, Ronald C. Rak, Susan Ballesteros, and Garrick Stoldt, I submit this correspondence to the Court regarding the United States Supreme Court's decision in *Advocate Health Care v. Stapleton*, No. 16-74 (consolidated with *Saint Peter's Healthcare System v. Kaplan*, No. 16-86, and *Dignity Health v. Rollins*, No. 16-258), pursuant to this Court's December 12, 2016 Order. (ECF No. 153). On June 5, 2017, the Supreme Court reversed the judgments of the Courts of Appeals. The opinion is attached to this letter.

The Parties await the Court's instructions as to whether the Court wishes to have a conference with counsel to discuss next steps or how else the Court wishes to proceed with respect to this matter.

Respectfully submitted,

*/s/ Scott M. Lempert*  
Scott M. Lempert

CC: Jeffrey J. Greenbaum

Attachment: *Advocate Health Care v. Stapleton*, No. 16-74 (June 5, 2017).

**CERTIFICATE OF SERVICE**

I hereby certify that on June 7, 2017, I electronically filed a Letter to Judge Shipp pursuant to the Court's Order dated December 12, 2016 (ECF No. 153) with the Clerk of the Court using ECF.

Dated: June 7, 2017

/s/ Scott M. Lempert  
Scott M. Lempert  
Cohen Milstein Sellers & Toll PLLC  
1100 New York Avenue NW  
Suite 500, East Tower  
Washington, DC 20005  
Tel: (202) 408-4600  
Fax: (202) 408-4699  
Email: [slempert@cohenmilstein.com](mailto:slempert@cohenmilstein.com)

*Attorney for Plaintiff*